



City of Sunnyvale

Notice and Agenda City Council

Tuesday, September 29, 2020

5:00 PM

Telepresence Meeting: City Web Stream |
Comcast Channel 15

**Special Meeting: Closed Session - 5 PM | Special Meeting: Study Session - 6 PM |
Regular Meeting - 7 PM**

Because of the COVID-19 emergency and the “shelter in place” orders issued by Santa Clara County and the State of California, the meeting of the Sunnyvale City Council on September 29, 2020, will take place by teleconference, as allowed by Governor Gavin Newsom’s Executive Order N-29-20.

- *Watch the City Council meeting on television over Comcast Channel 15, at <http://youtube.com/SunnyvaleMeetings> or <https://sunnyvaleca.legistar.com/calendar.aspx>.*
- *Submit written comments to the City Council up to 4 hours prior to the meeting to council@sunnyvale.ca.gov or by mail to City Clerk, 603 All America Way, Sunnyvale, CA 94086.*
- *Teleconference participation: You may provide audio public comment by connecting to the teleconference meeting online or by telephone. Use the Raise Hand feature to request to speak (*9 on a telephone):*

Meeting online link: <https://sunnyvale-ca-gov.zoom.us/j/96111580540>

Meeting call-in telephone number: 833-548-0276 | Meeting ID: 961 1158 0540

Pursuant to the Americans with Disabilities Act (ADA) and Executive Order N-29-20, if you need special assistance to provide public comment, contact the City at least 2 hours prior to the meeting in order for the City to make reasonable alternative arrangements for you to communicate your comments. For other special assistance, please contact the City at least 48 hours prior to the meeting to enable the City to make reasonable arrangements to ensure accessibility to this meeting. The Office of the City Clerk may be reached at (408) 730-7483 or cityclerk@sunnyvale.ca.gov (28 CFR 35.160 (b) (1)).

5 P.M. SPECIAL COUNCIL MEETING (Closed Session)**Call to Order**

Call to Order via teleconference.

Roll Call**Public Comment**

The public may provide comments regarding the Closed Session item(s). If you wish to address the Council, please refer to the notice at the beginning of this agenda. Closed Sessions are not open to the public.

Convene to Closed Session

- A** [20-0666](#) Closed Session Held Pursuant to California Government Code Section 54957.6:
CONFERENCE WITH LABOR NEGOTIATORS
Agency Designated Representatives: Tina Murphy, Director of Human Resources; Kent Steffens, City Manager; Charles Sakai, Labor Attorney

Employee Organization: Public Safety Officers Association (PSOA)

Adjourn Special Meeting**6 P.M. SPECIAL COUNCIL MEETING (Study Session)****Call to Order**

Call to Order via teleconference.

Roll Call**Study Session**

The public may provide comments regarding the Study Session item(s). If you wish to address the Council, please refer to the notice at the beginning of this agenda.

- B [20-0520](#) Moffett Park Specific Plan Update

Adjourn Special Meeting

7 P.M. COUNCIL MEETING

Pursuant to Council Policy, City Council will not begin consideration of any agenda item after 11:30 p.m. without a vote. Any item on the agenda which must be continued due to the late hour shall be continued to a date certain. Information provided herein is subject to change from date of printing of the agenda to the date of the meeting.

CALL TO ORDER

Call to Order via teleconference.

ROLL CALL

CLOSED SESSION REPORT

SPECIAL ORDER OF THE DAY

- C [20-0838](#) SPECIAL ORDER OF THE DAY - Active Aging Week and Arts and Humanities Month
- D [20-0839](#) SPECIAL ORDER OF THE DAY - Breast Cancer Awareness Month

ORAL COMMUNICATIONS

This category provides an opportunity for members of the public to address the City Council on items not listed on the agenda and is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the Mayor) with a maximum of up to three minutes per speaker. Please note the Brown Act (Open Meeting Law) does not allow the Council to take action on an item not listed on the agenda. If you wish to address the Council, please refer to the notice at the beginning of this agenda. Individuals are limited to one appearance during this section.

CONSENT CALENDAR

All matters listed on the consent calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion of these items. If a member of the public would like a consent calendar item pulled and discussed

separately, please refer to the notice at the beginning of this agenda.

- 1.A [20-0007](#) Approve City Council Meeting Minutes of September 15, 2020

Recommendation: Approve the City Council Meeting Minutes of September 15, 2020 as submitted.

- 1.B [20-0710](#) Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Recommendation: Approve the list(s) of claims and bills.

- 1.C [20-0770](#) Receive and File the City of Sunnyvale Investment Report - Second Quarter 2020

Recommendation: Receive and file the City of Sunnyvale - Second Quarter 2020 Investment Report.

- 1.D [20-0706](#) Approve Budget Modification No. 4 to Appropriate \$121,361 to a New Project, FY20/21 DPS Crime Reporting and IA/Use of Force Tracking Software and Authorize the City Manager to Approve an Amendment to the Existing Contract with Tritech Software to Update Crime Data Reporting Capability

Recommendation: Approve Budget Modification No. 4 to appropriate General Fund Reserves in the amount of \$121,361 for a new project, FY20/21 DPS Crime Reporting and IA/Use of Force Tracking Software and Authorize the City Manager to Approve an Amendment to the Existing Contract with Tritech Software to Update Crime Data Reporting Capability

- 1.E [20-0796](#) Adopt Resolutions Approving Amendments to the City's Contribution for CalPERS Medical Insurance for Management, SEA/IFPTE Local 21, Confidential, and SEIU Employees and Annuitants (Retirees)

Recommendation: Approve two resolutions: (1) setting the employer's contribution under the Public Employees' Medical and Hospital Care Act ("PEMHCA") for 2021, and (2) amending Salary Resolution No. 190-05 to modify the City's contribution for medical insurance for Management, SEA/IFPTE Local 21, Confidential, and SEIU employees and annuitants (retirees).

- 1.F [20-0480](#) Authorize the City Manager to Award and Execute a Contract with James Moore for Public Art at Fair Oaks Park in the total

amount not to exceed \$145,000, which includes optional services of up to \$5,000 for storage of the completed artwork, if necessary.

Recommendation: Authorize the City Manager to Award and Execute a Contract to James Moore for Public Art at Fair Oaks Park in the total amount not to exceed \$145,000, which includes optional services of up to \$5000 for storage of the completed artwork, if necessary.

1.G [20-0719](#) Modify a Blanket Purchase Order with Sunnyvale Ford for Automotive Parts and Supplies (F20-173)

Recommendation: Authorize the City Manager to amend the existing blanket purchase order with Sunnyvale Ford for automotive parts and supplies, in substantially the same format as Attachment 1 to the report, increasing the not-to-exceed amount by \$10,000 for a new not-to-exceed total amount of \$105,000.

1.H [20-0514](#) Authorize the issuance of a Purchase Order to Golden State Fire Apparatus for Two (2) Triple Combination Fire Pumpers (F21-041)

Recommendation: Take the following actions:

- Authorize the issuance of a purchase order in the amount of \$1,212,182 (includes delivery, performance bond and tire fees), excluding sales tax, in substantially the same form as Attachment 1 to the report to Golden State Fire Apparatus; and
- Approve a 2% contingency in the amount of \$24,242.

1.I [20-0786](#) Award of a Two-year Contract to HetNet Wireless LLC for Radio System Review and Inspection Services (F20-156)

Recommendation:

- Award a Services Agreement in the amount not-to-exceed \$165,000 and in substantially the same form as Attachment 1 to the report to HetNet Wireless LLC;
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and
- Authorize the City Manager to renew the contract for two additional two-year periods and modify the not to exceed contract amount within budgeted amounts provided services and pricing remain acceptable to the City.

1.J [20-0778](#) Adopt a Resolution Amending the City of Sunnyvale Local

Conflict of Interest Code

Recommendation: Adopt a Resolution amending the City of Sunnyvale Local Conflict of Interest Code.

- 1.K [20-0658](#) Approve City Position on Proposed League of California Cities' 2020 Annual Conference Resolution

Recommendation: Approve a Support position for the proposed Resolution No. 1 (Amendment to Section 230 of The Communications Decency Act of 1996), and authorize the City's voting delegate/alternates to cast votes consistent with the City Council's adopted positions.

- 1.L [20-0812](#) Designate a Voting Delegate and Alternates for the 2020 League of California Cities Annual Conference

Recommendation: Approve the Mayor's nomination of himself as the Voting Delegate and Vice Mayor Smith and Councilmember Larsson as Alternates.

PUBLIC HEARINGS/GENERAL BUSINESS

If you wish to speak to a public hearing/general business item, please refer to notice at the beginning of this agenda. Each speaker is limited to a maximum of three minutes. For land-use items, applicants are limited to a maximum of 10 minutes for opening comments and 5 minutes for closing comments.

- 2 [20-0815](#) Adoption of the Roadway Safety Plan

Recommendation: Alternative 1: Adopt the Roadway Safety Plan.

- 3 [20-0476](#) Accept Findings of the Eruv Study and Authorize Next Steps for Implementation

Recommendation: Alternative 1: Accept the findings of the Eruv Study and authorize the Public Works Director to execute a Master Encroachment Agreement upon the submittal of an Encroachment Permit application and the payment of the applicable fees.

- 4 [20-0659](#) Adopt Positions on State and Local Ballot Measures for the November 3, 2020 Election

Recommendation: Alternative 1:

Adopt the following staff-recommended positions on the ballot measures deemed City business, including any items where staff recommends Council remain neutral (take no position).

TAKE NO POSITION - Prop 15 Increases Funding Sources for Public Schools, Community Colleges, and Local Government Services by Changing Tax Assessment of Commercial and Industrial Property. Initiative Constitutional Amendment.

TAKE NO POSITION - Prop 16 Allows Diversity as a Factor in Public Employment, Education, and Contracting Decisions. Legislative Constitutional Amendment.

TAKE NO POSITION - Prop 19 Changes Certain Property Tax Rules. Legislative Constitutional Amendment.

TAKE NO POSITION - Prop 21 Expands Local Governments' Authority to Enact Rent Control on Residential Property. Initiative Statute.

SUPPORT - Measure M Fremont Union High School District Parcel Tax

SUPPORT - Measure S Santa Clara Valley Water District Parcel Tax

SUPPORT - Measure RR Peninsula Corridor Joint Powers Authority (CalTrain) Sales Tax

- 5 [20-0392](#) Discussion of Impacts of District Elections on Council Seniority Outlined in Council Policy 7.3.11 (Seating Arrangements/City Council) and Possible Updates to Council Policy 7.3.11

Recommendation: Staff makes no recommendation. This report is being presented to City Council to facilitate discussion at the public hearing.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS**NON-AGENDA ITEMS & COMMENTS**

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

Visit <http://Sunnyvale.ca.gov/TCMAC> to view the Tentative Council Meeting Agenda Calendar (TCMAC) online. The TCMAC is updated each Thursday afternoon.

20-0050	Tentative Council Meeting Agenda Calendar
20-0793	Board/Commission Meeting Minutes
20-0798	Information/Action Items
20-0859	Mayor's Endorsement of Candidates for the League of California Cities Peninsula Division Election of Executive Committee Officers 2020/21 (Information Only)

ADJOURNMENT

NOTICE TO THE PUBLIC

The agenda reports to council (RTCs) may be viewed on the City's website at sunnyvale.ca.gov after 7 p.m. on Thursdays or in the Office of the City Clerk located at 603 All America Way, prior to Tuesday City Council meetings. Any agenda related writings or documents distributed to members of the City of Sunnyvale City Council regarding any open session item on this agenda will be made available for public inspection in the Office of the City Clerk located at 603 All America Way, during normal business hours and in the Council Chamber on the evening of the Council Meeting, pursuant to Government Code §54957.5. Please contact the Office of the City Clerk at (408) 730-7483 to access City Hall to view these materials and for specific questions regarding the agenda.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the Office of the City Clerk at or before the public hearing. PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure 1094.5.

Planning a presentation for a City Council meeting?

To help you prepare and deliver your public comments, please review the "Making Public Comments During City Council or Planning Commission Meetings" available at <http://Sunnyvale.ca.gov/PublicComments>

Planning to provide materials to Council?

If you wish to provide the City Council with copies of your presentation materials, please provide 12 copies of the materials to the Office of the City Clerk. The City Clerk will distribute your items to the Council following the meeting.

Upcoming Meetings

Visit <https://sunnyvaleca.legistar.com> for upcoming Council, board and commission meeting information.